



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,013	09/29/2003	Mark Bernard Hettish	2003P08064US	2383

7590 05/11/2007  
Siemens Corporation  
Attn: Elsa Keller, Legal Administrator  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, NJ 08830

EXAMINER
----------

PADMANABHAN, KAVITA

ART UNIT	PAPER NUMBER
----------	--------------

2161

MAIL DATE	DELIVERY MODE
-----------	---------------

05/11/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/674,013

Applicant(s)

HETTISH ET AL.

Examiner

Kavita Padmanabhan

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8-11, 13-15 and 17-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-11, 13-15 and 17-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Status of Claims***

1. Claims 1, 14, 22, and 23 have been amended.
2. Claim 12 has been canceled.
3. Claims 1-6, 8-11, 13-15, and 17-23 are pending.
4. Claims 1-6, 8-11, 13-15, and 17-23 are rejected.

### ***Continued Examination Under 37 CFR 1.114***

5. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/15/06 has been entered.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

Art Unit: 2161

claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. **Claims 1-6, 8-15, and 17-23** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Yoakum et al.** (US 6,658,095, hereinafter “Yoakum”) in view of “**SIP (Session Initiation Protocol) in Enterprise-Class IP Telephony Networks**”, **White Paper, Communication without boundaries, 2002, Avaya Inc.** (hereinafter “Avaya”), cited by applicant.

In regards to **claim 1**, **Yoakum** teaches a method, comprising:

- configuring a first device as an associated device in a system (**Yoakum; col. 4, lines 26-49; Fig. 1, reference character 16B**);
- receiving information regarding a second device from a device management component, said second device being registered with said system (**Yoakum; col. 9, line 46 – col. 10, line 10 – SIP endpoints are considered registered with the system**);
- maintaining information regarding said first device and said second device (**Yoakum; col. 4, lines 35-67**); and
- providing device context information for said first device to an application (**Yoakum; col. 4, lines 35-67**).

**Yoakum** also teaches that the first device could be any of a variety of devices, including a cellular phone, etc. (**Yoakum; col. 4, lines 26-34; Fig. 1, reference character 16B**).

Yoakum does not expressly teach that the first device is not registered with said system.

**Avaya** explicitly teaches certain devices associated with a user being SIP-enabled and certain devices not being SIP-enabled (**Avaya; p2, right column, paragraph 3, lines 7-9; p3, left column, paragraph 2, lines 2-3; p6, left column, paragraph 1, lines 1-5; p6, right column, paragraph 2, lines 5-6**), which is interpreted as not being registered in the SIP system.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to implement the method of Yoakum with non-registered devices as well, as explicitly taught by Avaya, thereby allowing the system to address a larger universe of devices and provide services to both SIP and non-SIP endpoints (**Avaya; p2, right column, paragraph 3, lines 7-9; p6, right column, paragraph 2, lines 5-6**).

In regards to **claim 2**, **Yoakum and Avaya** teach the method of claim 1, wherein said configuring a first device as an associated device in a system includes receiving a call from an application to configure said first device as an associated device (**Yoakum; col. 4, lines 35-49**).

In regards to **claim 3**, **Yoakum and Avaya** teach the method of claim 1, wherein said receiving information regarding a second device from a device management component includes receiving device context information regarding said second device from said device management component (**Yoakum; col. 9, lines 46 – 51**).

In regards to **claim 4**, **Yoakum and Avaya** teach the method of claim 1, wherein maintaining information regarding said first device and said second device includes maintaining

Art Unit: 2161

device context information for said first device and device context information for said second device (**Yoakum; col. 4, lines 35-67; col. 9, lines 46-51**).

In regards to **claim 5, Yoakum and Avaya** teach the method of claim 1, further comprising:

- receiving a call from an application to configure said first device (**Yoakum; col. 4, lines 35-49**).

In regards to **claim 6, Yoakum and Avaya** teach the method of claim 1, further comprising:

- receiving a call from an application to set a device context for said first device (**Yoakum; col. 4, lines 35-49**).

In regards to **claim 8, Yoakum and Avaya** teach the method of claim 1, further comprising:

- providing device context information for said first device and said second device to an application (**Yoakum; col. 4, lines 26-67; col. 9, lines 46-51**).

In regards to **claim 9, Yoakum and Avaya** teach the method of claim 1, further comprising:

- providing device context information for said first device to said device management component (**Yoakum; col. 4, lines 26-67; col. 9, lines 46-51 – device management component is interpreted to be software associated with second device that sends/receives context/state information for the second device – so, if devices are exchanging information, the information relating to the first device is being sent to the second device**).

Art Unit: 2161

In regards to **claim 10**, **Yoakum and Avaya** teach the method of claim 1, further comprising:

- receiving a query for device context information for said first device (**Yoakum; col. 4, lines 26-67 – a request is interpreted to be a query**).

In regards to **claim 11**, **Yoakum and Avaya** teach the method of claim 1, further comprising:

- receiving a query for device context information for said first device and said second device (**Yoakum; col. 4, lines 26-67; col. 9, lines 46-51 – a request is interpreted to be a query**).

**Claim 12** is rejected with the same rationale given for claim 1.

In regards to **claim 13**, **Yoakum and Avaya** teach the method of claim 1, wherein said device management component includes a presence and availability service (**Yoakum; col. 3, lines 40-42; col. 10, lines 54-65**).

In regards to **claim 14**, **Yoakum** teaches a system, comprising:

- an application (**Yoakum; col. 4, lines 35-49**);

Art Unit: 2161

- a device management component, said device management component adapted to communicate with a first registered device (**Yoakum; col. 9, line 46 – col. 10, line 10 – SIP endpoints are considered registered with the system**);
- a context management component, said context management component adapted to:
  - communicate with a first associated device (**Yoakum; col. 4, lines 26-49; Fig. 1, reference character 16B**), with said application regarding said first associated device and said first registered device (**Yoakum; col. 4, lines 35-67; col. 9, line 46 – col. 10, line 16**), and with said device management component regarding said first registered device (**Yoakum; col. 9, lines 46-51 – device management component is interpreted to be software associated with registered device that sends/receives context/state information for the device**); and
  - provide device context information for said first associated device to said application (**Yoakum; col. 4, lines 35-67**).

**Yoakum** also teaches that the first device could be any of a variety of devices, including a cellular phone, etc. (**Yoakum; col. 4, lines 26-34; Fig. 1, reference character 16B**).

**Yoakum** does not expressly teach that the first associated device is not registered with said system.

**Avaya** teaches, certain devices associated with a user being SIP-enabled and certain devices not being SIP-enabled (**Avaya; p2, right column, paragraph 3, lines 7-9; p3, left column, paragraph 2, lines 2-3; p6, left column, paragraph 1, lines 1-5; p6, right column, paragraph 2, lines 5-6**), which is interpreted as not being registered in the SIP system.



Art Unit: 2161

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to implement the method of Yoakum with non-registered devices as well, as taught by Avaya, thereby allowing the system to address a larger universe of devices and provide services to both SIP and non-SIP endpoints (**Avaya; p2, right column, paragraph 3, lines 7-9; p6, right column, paragraph 2, lines 5-6**).

In regards to **claim 15**, Yoakum and Avaya teach the system of claim 14, wherein said application is adapted to send a call to said context management component to configure said first associated device (**Yoakum; col. 4, lines 35-49**).

In regards to **claim 17**, Yoakum and Avaya teach the system of claim 14, wherein said context management component is adapted to send device presence information for said first associated device to said device management component (**Yoakum; col. 3, lines 40-42; col. 4, lines 35-67**).

In regards to **claim 18**, Yoakum and Avaya teach the system of claim 14, wherein said device management component includes a presence and availability service (**Yoakum; col. 3, lines 40-42; col. 10, lines 54-65**).

In regards to **claim 19**, Yoakum and Avaya teach the system of claim 14, wherein said system operates in a session initiation protocol (SIP) environment, and said first associated device is not registered in said SIP environment (**Avaya; p2, right column, paragraph 3, lines**

Art Unit: 2161

7-9; p3, left column, paragraph 2, lines 2-3; p6, left column, paragraph 1, lines 1-5; p6, right column, paragraph 2, lines 5-6 – teaches certain devices associated with a user being SIP-enabled and certain devices not being SIP-enabled, which is interpreted as not being registered in the SIP system) and said first registered device is registered in said SIP environment (Yoakum; col. 9, line 46 – col. 10, line 16).

In regards to **claim 20**, Yoakum and Avaya teach the system of claim 14, wherein said device management component does not see said first associated device (Avaya; p2, right column, paragraph 3, lines 7-9; p3, left column, paragraph 2, lines 2-3; p6, left column, paragraph 1, lines 1-5; p6, right column, paragraph 2, lines 5-6 – teaches using gateways and other mechanisms of reaching devices that are not on the SIP network system, and such gateways are obviously necessitated because the SIP-devices are not directly aware of the “non-registered“ devices).

In regards to **claim 21**, Yoakum and Avaya teach the system of claim 14, wherein said application, said context management component and said device management component operate in a SIP environment and said first registered device is registered in said SIP environment (Yoakum; col. 9, line 46 – col. 10, line 16).

**Claims 22 and 23** are each rejected with the same rationale given for claim 1.

***Response to Amendment***

9. Applicant's amendments filed 11/15/06 with respect to the specification objection have been considered. The objection has been withdrawn.

10. The objection to claim 12 has been withdrawn in view of applicant's cancellation of that claim.

11. Applicant's amendments filed 11/15/06 with respect to the 35 USC 112, 2<sup>nd</sup> paragraph rejections have been considered. The rejections have been withdrawn.

***Response to Arguments***

12. Applicant's arguments filed 11/15/06 with respect to the prior art rejections of the claims have been fully considered but they are not persuasive.

Applicant argues that Yoakum teaches that devices are both associated and registered with a presence system, and that combining Yoakum and Avaya would result in registering the devices disclosed in Avaya (e.g., SIP-enabled and non SIP-enabled devices) with the presence system or Yoakum.

The examiner respectfully disagrees with the applicant's argument. The examiner asserts that the examiner is interpreting the SIP-enabled devices as "registered" devices, in that they are registered with an SIP system. The examiner is interpreting non SIP-enabled devices as "not registered". The examiner asserts that this interpretation is consistent with the applicant's disclosure, for example at pages 4-5 of applicant's original specification. Furthermore, the examiner asserts that Yoakum does not expressly teach that all the devices be SIP-enabled, i.e. registered devices, as alleged by the applicant. The examiner therefore asserts that since Avaya

Art Unit: 2161

teaches certain devices associated with a user being SIP-enabled and certain devices not being SIP-enabled (Avaya; p2, right column, paragraph 3, lines 7-9; p3, left column, paragraph 2, lines 2-3; p6, left column, paragraph 1, lines 1-5; p6, right column, paragraph 2, lines 5-6), i.e. not being registered in the SIP system, implementing the method of Yoakum with non-registered devices, as explicitly taught by Avaya, would allow the system to provide services to both SIP and non-SIP endpoints (Avaya; p2, right column, paragraph 3, lines 7-9; p6, right column, paragraph 2, lines 5-6) and would not result in only registered devices, as alleged by applicant.

### *Conclusion*

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kavita Padmanabhan** whose telephone number is **571-272-8352**. The examiner can normally be reached on Monday-Friday, 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

APU MOFIZ  
SUPERVISORY PATENT EXAMINER

Art Unit: 2161

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kavita Padmanabhan  
Assistant Examiner  
AU 2161

May 8, 2007

K.P.  
\*\*\*

  
APU MOFIZ  
SUPERVISORY PATENT EXAMINER